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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,943	02/03/2004	Gregory W. Bond	300.0005 (2003-0045)	1621
26652	7590	08/07/2007	EXAMINER	
AT&T CORP.			TAYLOR, NICHOLAS R	
ROOM 2A207			ART UNIT	PAPER NUMBER
ONE AT&T WAY			2141	
BEDMINSTER, NJ 07921				

  

MAIL DATE	DELIVERY MODE
08/07/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/770,943	BOND ET AL.	
	Examiner Nicholas R. Taylor	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 03 February 2004.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-17 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 30 August 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/3/04;7/13/05.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_.

## DETAILED ACTION

1. Claims 1-17 have been examined and are rejected.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gourraud et al. (U.S. PGPub 2004/0006623) and Kay et al. (U.S. PGPub 2002/0103917).

4. As per claims 1, 6, 11, 15, 16, and 17, Gourraud teaches a method for communicating between a network-resident software application and a user device comprising:

receiving a message request from the network-resident software application; translating the message request to a hyperlinked instant message to the user device in a format adapted for communication with an instant messaging client resident on the user device; (Gourraud, paragraph 0026 and figs. 1 and 3)

sending the hyperlinked instant message to the user device; (Gourraud, paragraph 0028)

receiving an HTTP request from the user device as a response to a user action that was elicited by the hyperlinked instant message (Gourraud, paragraph 0029).

Yet Gourraud fails to teach,

sending the user device a selected type of HTTP response dependent upon the type of HTTP request received;

receiving an HTTP request from the user device as a response to a user action that was elicited by the selected type of HTTP response; and

sending a user response to the network-resident software application that initiated the message request for selected types of HTTP requests.

Kay teaches a method of sending hyperlinked instant messages to users in response to user actions for HTTP based actions (Kay, fig. 2 and paragraph 0009) that control network resident devices (Kay, paragraph 0043). Kay teaches sending a user a selected type of HTTP response dependent upon the HTTP request received, receiving an HTTP request from the user device as a response to a user action elicited by the selected type of HTTP response, and sending the response to the network-resident software application that initiated the message request (Kay, see, e.g., summary paragraphs 0010-0011 and implementation details of 0047-0051 where the HTTP query exchange takes place).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Gourraud and Kay to provide the query system of Kay in the system of Gourraud, because doing so would enable an HTTP translation system by leveraging the authentication mechanism and other advantages, such as

profile storage, that are inherent in a similarly implemented IM-based request servicing system (Kay, paragraphs 0007 and 0008). The combination would further increase the effectiveness of the instant message interaction with the user by affording additional options with regards to the specific service being selected, a technique that would be obvious to one of ordinary skill and produce predictable results.

5. As per claim 2, Gourraud-Kay teaches the system further wherein the request from the software application further comprises: query parameters (Gourraud, paragraphs 0051-0062).

6. As per claim 3, Gourraud-Kay teaches the system further wherein the query parameters further comprises:

    a query type; query strings; a target username; (Gourraud, see e.g., paragraphs 0051-0062) and a source username (Kay, see e.g., paragraphs 0023-0025 and 0031).

7. As per claim 4, Gourraud-Kay teaches the system further comprising:

    a type display for use in displaying strings to the user device; (Kay, paragraph 0047)

    a type choose for offering a menu of choices; and (Gourraud, paragraphs 0051-0062)

    a type prompt for requesting information to be entered (Kay, paragraph 0047).

8. As per claim 5, Gourraud-Kay teaches the system further comprising:
  - a session ID generator for assigning a unique session ID for a request; a request table for maintaining a unique session ID mapping to the software application that initiated the request; (Kay, paragraphs 0049-0051)
  - an instant messaging message formatter for formatting a message to conform to an instant messaging interface standard; an instant messaging client/server for use in sending messages to another instant messaging user; and an HTTP server for receiving HTTP requests, providing a selected response to a received HTTP request, and sending HTTP responses (Kay, see message dispatcher of fig. 3 and intermediary elements of fig. 2).
9. As per claim 7, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a display message request (Kay, paragraph 0047 and fig. 2).
10. As per claim 8, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a choose message request (Gourraud, paragraphs 0051-0062).
11. As per claims 9 and 13, Gourraud-Kay teaches the system further wherein the message request from the network resident software application further comprises:

a query type; query strings to be displayed; a target user name parameter for the instant messaging name of the user device; and (Gourraud, see e.g., paragraphs 0051-0062)

a source user name parameter to specify an arbitrary source (Kay, see e.g., paragraphs 0023-0025 and 0031).

12. As per claims 10 and 14, Gourraud-Kay teaches the system further comprising:  
an embedded unique session identifier, unique message type, and unique message identifier for selected message requests that elicit a user response in a uniform resource locator (URL) associated with a hyperlinked text message that is sent to the user device, (Kay, paragraphs 0049-0051)  
where the URL is used by the user device to identify a pseudodevice for sending a response (Gourraud, see e.g., paragraphs 0051-0062).

13. As per claim 12, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a prompt message request (Kay, paragraph 0047).

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes:

U.S. Patent No. 6,741,853, which describes a method for providing information to a variety of devices based on device type where the message is formatted based on the destination;

U.S. PGPub 2005/0198149, which describes an HTTP gateway system that converts instant messages into service requests; and

U.S. PGPub 2003/0054810, which describes a mobile service platform that uses a plurality of gateways to enable service interaction through instant messaging.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT 8-2-07

Nicholas Taylor  
Examiner  
Art Unit 2141



JASON CARDONE  
SUPERVISORY PATENT EXAMINER